

Representative Daniel McCay proposes the following substitute bill:

LICENSE PLATE READER AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill modifies provisions relating to automatic license plate reader systems.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that a person or governmental entity may not use an automatic license plate reader system except in certain circumstances;
- ▶ specifies circumstances when an automatic license plate reader system may be used by a person or governmental entity;
- ▶ provides that captured plate data is a protected record under the Government Records Access and Management Act, if the captured plate data is maintained by a governmental entity;
- ▶ provides that captured plate data may only be shared for specified purposes, may only be preserved for a certain time, and may only be disclosed pursuant to a disclosure order or a warrant;
- ▶ prohibits a person from selling captured plate data for any purpose;
- ▶ establishes procedures for a governmental entity or defendant in a criminal case to submit a preservation request for captured plate data; and



26 ▶ provides a penalty for violating the provisions relating to automatic license plate
27 reader systems.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **63G-2-305**, as last amended by Laws of Utah 2012, Chapters 331 and 377

35 ENACTS:

36 **41-6a-2001**, Utah Code Annotated 1953

37 **41-6a-2002**, Utah Code Annotated 1953

38 **41-6a-2003**, Utah Code Annotated 1953

39 **41-6a-2004**, Utah Code Annotated 1953

40 **41-6a-2005**, Utah Code Annotated 1953

41 **41-6a-2006**, Utah Code Annotated 1953



43 *Be it enacted by the Legislature of the state of Utah:*

44 Section 1. Section **41-6a-2001** is enacted to read:

45 **Part 20. Automatic License Plate Reader System Act**

46 **41-6a-2001. Title.**

47 This part is known as the "Automatic License Plate Reader System Act."

48 Section 2. Section **41-6a-2002** is enacted to read:

49 **41-6a-2002. Definitions.**

50 As used in this section:

51 (1) "Automatic license plate reader system" means a system of one or more mobile or
52 fixed automated high-speed cameras used in combination with computer algorithms to convert
53 an image of a license plate into computer-readable data.

54 (2) "Captured plate data" means the global positioning system coordinates, date and
55 time, photograph, license plate number, and any other data captured by or derived from an
56 automatic license plate reader system.

57 (3) "Governmental entity" has the same meaning as defined in Section 63G-2-103.

58 (4) "Secured area" means an area, enclosed by clear boundaries, to which access is
59 limited and not open to the public and entry is only obtainable through specific access-control
60 points.

61 Section 3. Section **41-6a-2003** is enacted to read:

62 **41-6a-2003. Automatic license plate reader systems -- Restrictions.**

63 (1) Except as provided in Subsection (2), a person or governmental entity may not use
64 an automatic license plate reader system.

65 (2) An automatic license plate reader system may be used:

66 (a) by a law enforcement agency for the purpose of protecting public safety, conducting
67 criminal investigations, or ensuring compliance with local, state, and federal laws;

68 (b) by a governmental parking enforcement entity for the purpose of enforcing state
69 and local parking laws;

70 (c) by a parking enforcement entity for regulating the use of a parking facility;

71 (d) for the purpose of controlling access to a secured area;

72 (e) for the purpose of collecting an electronic toll; or

73 (f) for the purpose of enforcing motor carrier laws.

74 Section 4. Section **41-6a-2004** is enacted to read:

75 **41-6a-2004. Captured plate data -- Preservation and disclosure.**

76 (1) Captured plate data obtained for the purposes described in Section 41-6a-2003:

77 (a) in accordance with Section 63G-2-305, is a protected record under Title 63G,
78 Chapter 2, Government Records Access and Management Act, if the captured plate data is
79 maintained by a governmental entity;

80 (b) may not be used or shared for any purpose other than the purposes described in
81 Section 41-6a-2003;

82 (c) may not be preserved for more than 30 days by a private entity or nine months by a
83 governmental entity except pursuant to:

84 (i) a preservation request under Section 41-6a-2005;

85 (ii) a disclosure order under Subsection 41-6a-2005(2); or

86 (iii) a warrant issued under the Utah Rules of Criminal Procedure or an equivalent
87 federal warrant; and

88 (d) may only be disclosed:

89 (i) in accordance with the disclosure requirements for a protected record under Section
90 63G-2-202;

91 (ii) pursuant to a disclosure order under Subsection 41-6a-2005(2); or

92 (iii) pursuant to a warrant issued under the Utah Rules of Criminal Procedure or an
93 equivalent federal warrant.

94 (2) (a) A person or governmental entity that is authorized to use an automatic license
95 plate reader system under this part may not sell captured plate data for any purpose.

96 (b) A person or governmental entity that is authorized to use an automatic license plate
97 reader system under this part may not share captured plate data for a purpose not authorized
98 under Subsection 41-6a-2003(2).

99 (c) Notwithstanding the provisions of this section, a governmental entity may preserve
100 and disclose aggregate captured plate data for planning and statistical purposes if the
101 information identifying a specific license plate is not preserved or disclosed.

102 Section 5. Section **41-6a-2005** is enacted to read:

103 **41-6a-2005. Preservation request.**

104 (1) A person or governmental entity using an automatic license plate reader system
105 shall take all steps necessary to preserve captured plate data in its possession for 14 days after
106 the date the data is captured pending the issuance of a court order requiring the disclosure of
107 the captured plate data if a governmental entity or defendant in a criminal case requesting the
108 captured plate data submits a written statement to the person or governmental entity using an
109 automatic license plate reader system:

110 (a) requesting the person or governmental entity to preserve the captured plate data;

111 (b) identifying:

112 (i) the camera or cameras for which captured plate data shall be preserved;

113 (ii) the license plate for which captured plate data shall be preserved; or

114 (iii) the dates and time frames for which captured plate data shall be preserved; and

115 (c) notifying the person or governmental entity maintaining the captured plate data that
116 the governmental entity or defendant in a criminal case is applying for a court order for
117 disclosure of the captured plate data.

118 (2) (a) A governmental entity or defendant in a criminal case may apply for a court

119 order for the disclosure of captured plate data.

120 (b) A court that is a court of competent jurisdiction shall issue a court order requiring
121 the disclosure of captured plate data if the governmental entity or defendant in a criminal case
122 offers specific and articulable facts showing that there are reasonable grounds to believe that
123 the captured plate data is relevant and material to an ongoing criminal or missing person
124 investigation.

125 (3) Captured plate data that is the subject of an application for a disclosure order under
126 Subsection (2) may be destroyed at the later of:

127 (a) the date that an application for an order under Subsection (2) is denied and any
128 appeal exhausted;

129 (b) the end of 14 days, if the person or governmental entity does not otherwise preserve
130 the captured plate data; or

131 (c) the end of the period described in Subsection 41-6a-2004(1)(c).

132 Section 6. Section **41-6a-2006** is enacted to read:

133 **41-6a-2006. Penalties.**

134 A person who violates a provision under this part is guilty of a class B misdemeanor.

135 Section 7. Section **63G-2-305** is amended to read:

136 **63G-2-305. Protected records.**

137 The following records are protected if properly classified by a governmental entity:

138 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret
139 has provided the governmental entity with the information specified in Section 63G-2-309;

140 (2) commercial information or nonindividual financial information obtained from a
141 person if:

142 (a) disclosure of the information could reasonably be expected to result in unfair
143 competitive injury to the person submitting the information or would impair the ability of the
144 governmental entity to obtain necessary information in the future;

145 (b) the person submitting the information has a greater interest in prohibiting access
146 than the public in obtaining access; and

147 (c) the person submitting the information has provided the governmental entity with
148 the information specified in Section 63G-2-309;

149 (3) commercial or financial information acquired or prepared by a governmental entity

150 to the extent that disclosure would lead to financial speculations in currencies, securities, or
151 commodities that will interfere with a planned transaction by the governmental entity or cause
152 substantial financial injury to the governmental entity or state economy;

153 (4) records the disclosure of which could cause commercial injury to, or confer a
154 competitive advantage upon a potential or actual competitor of, a commercial project entity as
155 defined in Subsection 11-13-103(4);

156 (5) test questions and answers to be used in future license, certification, registration,
157 employment, or academic examinations;

158 (6) records the disclosure of which would impair governmental procurement
159 proceedings or give an unfair advantage to any person proposing to enter into a contract or
160 agreement with a governmental entity, except, subject to Subsections (1) and (2), that this
161 Subsection (6) does not restrict the right of a person to have access to, once the contract or
162 grant has been awarded, a bid, proposal, or application submitted to or by a governmental
163 entity in response to:

164 (a) a request for bids;

165 (b) a request for proposals;

166 (c) a grant; or

167 (d) other similar document;

168 (7) records that would identify real property or the appraisal or estimated value of real
169 or personal property, including intellectual property, under consideration for public acquisition
170 before any rights to the property are acquired unless:

171 (a) public interest in obtaining access to the information is greater than or equal to the
172 governmental entity's need to acquire the property on the best terms possible;

173 (b) the information has already been disclosed to persons not employed by or under a
174 duty of confidentiality to the entity;

175 (c) in the case of records that would identify property, potential sellers of the described
176 property have already learned of the governmental entity's plans to acquire the property;

177 (d) in the case of records that would identify the appraisal or estimated value of
178 property, the potential sellers have already learned of the governmental entity's estimated value
179 of the property; or

180 (e) the property under consideration for public acquisition is a single family residence

181 and the governmental entity seeking to acquire the property has initiated negotiations to acquire
182 the property as required under Section 78B-6-505;

183 (8) records prepared in contemplation of sale, exchange, lease, rental, or other
184 compensated transaction of real or personal property including intellectual property, which, if
185 disclosed prior to completion of the transaction, would reveal the appraisal or estimated value
186 of the subject property, unless:

187 (a) the public interest in access is greater than or equal to the interests in restricting
188 access, including the governmental entity's interest in maximizing the financial benefit of the
189 transaction; or

190 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
191 the value of the subject property have already been disclosed to persons not employed by or
192 under a duty of confidentiality to the entity;

193 (9) records created or maintained for civil, criminal, or administrative enforcement
194 purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if
195 release of the records:

196 (a) reasonably could be expected to interfere with investigations undertaken for
197 enforcement, discipline, licensing, certification, or registration purposes;

198 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
199 proceedings;

200 (c) would create a danger of depriving a person of a right to a fair trial or impartial
201 hearing;

202 (d) reasonably could be expected to disclose the identity of a source who is not
203 generally known outside of government and, in the case of a record compiled in the course of
204 an investigation, disclose information furnished by a source not generally known outside of
205 government if disclosure would compromise the source; or

206 (e) reasonably could be expected to disclose investigative or audit techniques,
207 procedures, policies, or orders not generally known outside of government if disclosure would
208 interfere with enforcement or audit efforts;

209 (10) records the disclosure of which would jeopardize the life or safety of an
210 individual;

211 (11) records the disclosure of which would jeopardize the security of governmental

212 property, governmental programs, or governmental recordkeeping systems from damage, theft,
213 or other appropriation or use contrary to law or public policy;

214 (12) records that, if disclosed, would jeopardize the security or safety of a correctional
215 facility, or records relating to incarceration, treatment, probation, or parole, that would interfere
216 with the control and supervision of an offender's incarceration, treatment, probation, or parole;

217 (13) records that, if disclosed, would reveal recommendations made to the Board of
218 Pardons and Parole by an employee of or contractor for the Department of Corrections, the
219 Board of Pardons and Parole, or the Department of Human Services that are based on the
220 employee's or contractor's supervision, diagnosis, or treatment of any person within the board's
221 jurisdiction;

222 (14) records and audit workpapers that identify audit, collection, and operational
223 procedures and methods used by the State Tax Commission, if disclosure would interfere with
224 audits or collections;

225 (15) records of a governmental audit agency relating to an ongoing or planned audit
226 until the final audit is released;

227 (16) records that are subject to the attorney client privilege;

228 (17) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
229 employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial,
230 quasi-judicial, or administrative proceeding;

231 (18) (a) (i) personal files of a state legislator, including personal correspondence to or
232 from a member of the Legislature; and

233 (ii) notwithstanding Subsection (18)(a)(i), correspondence that gives notice of
234 legislative action or policy may not be classified as protected under this section; and

235 (b) (i) an internal communication that is part of the deliberative process in connection
236 with the preparation of legislation between:

237 (A) members of a legislative body;

238 (B) a member of a legislative body and a member of the legislative body's staff; or

239 (C) members of a legislative body's staff; and

240 (ii) notwithstanding Subsection (18)(b)(i), a communication that gives notice of
241 legislative action or policy may not be classified as protected under this section;

242 (19) (a) records in the custody or control of the Office of Legislative Research and

243 General Counsel, that, if disclosed, would reveal a particular legislator's contemplated
244 legislation or contemplated course of action before the legislator has elected to support the
245 legislation or course of action, or made the legislation or course of action public; and

246 (b) notwithstanding Subsection (19)(a), the form to request legislation submitted to the
247 Office of Legislative Research and General Counsel is a public document unless a legislator
248 asks that the records requesting the legislation be maintained as protected records until such
249 time as the legislator elects to make the legislation or course of action public;

250 (20) research requests from legislators to the Office of Legislative Research and
251 General Counsel or the Office of the Legislative Fiscal Analyst and research findings prepared
252 in response to these requests;

253 (21) drafts, unless otherwise classified as public;

254 (22) records concerning a governmental entity's strategy about:

255 (a) collective bargaining; or

256 (b) imminent or pending litigation;

257 (23) records of investigations of loss occurrences and analyses of loss occurrences that
258 may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
259 Uninsured Employers' Fund, or similar divisions in other governmental entities;

260 (24) records, other than personnel evaluations, that contain a personal recommendation
261 concerning an individual if disclosure would constitute a clearly unwarranted invasion of
262 personal privacy, or disclosure is not in the public interest;

263 (25) records that reveal the location of historic, prehistoric, paleontological, or
264 biological resources that if known would jeopardize the security of those resources or of
265 valuable historic, scientific, educational, or cultural information;

266 (26) records of independent state agencies if the disclosure of the records would
267 conflict with the fiduciary obligations of the agency;

268 (27) records of an institution within the state system of higher education defined in
269 Section 53B-1-102 regarding tenure evaluations, appointments, applications for admissions,
270 retention decisions, and promotions, which could be properly discussed in a meeting closed in
271 accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of
272 the final decisions about tenure, appointments, retention, promotions, or those students
273 admitted, may not be classified as protected under this section;

274 (28) records of the governor's office, including budget recommendations, legislative
275 proposals, and policy statements, that if disclosed would reveal the governor's contemplated
276 policies or contemplated courses of action before the governor has implemented or rejected
277 those policies or courses of action or made them public;

278 (29) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
279 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
280 recommendations in these areas;

281 (30) records provided by the United States or by a government entity outside the state
282 that are given to the governmental entity with a requirement that they be managed as protected
283 records if the providing entity certifies that the record would not be subject to public disclosure
284 if retained by it;

285 (31) transcripts, minutes, or reports of the closed portion of a meeting of a public body
286 except as provided in Section 52-4-206;

287 (32) records that would reveal the contents of settlement negotiations but not including
288 final settlements or empirical data to the extent that they are not otherwise exempt from
289 disclosure;

290 (33) memoranda prepared by staff and used in the decision-making process by an
291 administrative law judge, a member of the Board of Pardons and Parole, or a member of any
292 other body charged by law with performing a quasi-judicial function;

293 (34) records that would reveal negotiations regarding assistance or incentives offered
294 by or requested from a governmental entity for the purpose of encouraging a person to expand
295 or locate a business in Utah, but only if disclosure would result in actual economic harm to the
296 person or place the governmental entity at a competitive disadvantage, but this section may not
297 be used to restrict access to a record evidencing a final contract;

298 (35) materials to which access must be limited for purposes of securing or maintaining
299 the governmental entity's proprietary protection of intellectual property rights including patents,
300 copyrights, and trade secrets;

301 (36) the name of a donor or a prospective donor to a governmental entity, including an
302 institution within the state system of higher education defined in Section 53B-1-102, and other
303 information concerning the donation that could reasonably be expected to reveal the identity of
304 the donor, provided that:

- 305 (a) the donor requests anonymity in writing;
- 306 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
- 307 classified protected by the governmental entity under this Subsection (36); and
- 308 (c) except for an institution within the state system of higher education defined in
- 309 Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged
- 310 in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority
- 311 over the donor, a member of the donor's immediate family, or any entity owned or controlled
- 312 by the donor or the donor's immediate family;
- 313 (37) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and
- 314 73-18-13;
- 315 (38) a notification of workers' compensation insurance coverage described in Section
- 316 34A-2-205;
- 317 (39) (a) the following records of an institution within the state system of higher
- 318 education defined in Section 53B-1-102, which have been developed, discovered, disclosed to,
- 319 or received by or on behalf of faculty, staff, employees, or students of the institution:
- 320 (i) unpublished lecture notes;
- 321 (ii) unpublished notes, data, and information:
- 322 (A) relating to research; and
- 323 (B) of:
- 324 (I) the institution within the state system of higher education defined in Section
- 325 53B-1-102; or
- 326 (II) a sponsor of sponsored research;
- 327 (iii) unpublished manuscripts;
- 328 (iv) creative works in process;
- 329 (v) scholarly correspondence; and
- 330 (vi) confidential information contained in research proposals;
- 331 (b) Subsection (39)(a) may not be construed to prohibit disclosure of public
- 332 information required pursuant to Subsection 53B-16-302(2)(a) or (b); and
- 333 (c) Subsection (39)(a) may not be construed to affect the ownership of a record;
- 334 (40) (a) records in the custody or control of the Office of Legislative Auditor General
- 335 that would reveal the name of a particular legislator who requests a legislative audit prior to the

336 date that audit is completed and made public; and

337 (b) notwithstanding Subsection (40)(a), a request for a legislative audit submitted to the
338 Office of the Legislative Auditor General is a public document unless the legislator asks that
339 the records in the custody or control of the Office of Legislative Auditor General that would
340 reveal the name of a particular legislator who requests a legislative audit be maintained as
341 protected records until the audit is completed and made public;

342 (41) records that provide detail as to the location of an explosive, including a map or
343 other document that indicates the location of:

344 (a) a production facility; or

345 (b) a magazine;

346 (42) information:

347 (a) contained in the statewide database of the Division of Aging and Adult Services
348 created by Section 62A-3-311.1; or

349 (b) received or maintained in relation to the Identity Theft Reporting Information
350 System (IRIS) established under Section 67-5-22;

351 (43) information contained in the Management Information System and Licensing
352 Information System described in Title 62A, Chapter 4a, Child and Family Services;

353 (44) information regarding National Guard operations or activities in support of the
354 National Guard's federal mission;

355 (45) records provided by any pawn or secondhand business to a law enforcement
356 agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop and
357 Secondhand Merchandise Transaction Information Act;

358 (46) information regarding food security, risk, and vulnerability assessments performed
359 by the Department of Agriculture and Food;

360 (47) except to the extent that the record is exempt from this chapter pursuant to Section
361 63G-2-106, records related to an emergency plan or program, a copy of which is provided to or
362 prepared or maintained by the Division of Emergency Management, and the disclosure of
363 which would jeopardize:

364 (a) the safety of the general public; or

365 (b) the security of:

366 (i) governmental property;

367 (ii) governmental programs; or
368 (iii) the property of a private person who provides the Division of Emergency
369 Management information;

370 (48) records of the Department of Agriculture and Food that provides for the
371 identification, tracing, or control of livestock diseases, including any program established under
372 Title 4, Chapter 24, Utah Livestock Brand and Anti-theft Act or Title 4, Chapter 31, Control of
373 Animal Disease;

374 (49) as provided in Section 26-39-501:

375 (a) information or records held by the Department of Health related to a complaint
376 regarding a child care program or residential child care which the department is unable to
377 substantiate; and

378 (b) information or records related to a complaint received by the Department of Health
379 from an anonymous complainant regarding a child care program or residential child care;

380 (50) unless otherwise classified as public under Section 63G-2-301 and except as
381 provided under Section 41-1a-116, an individual's home address, home telephone number, or
382 personal mobile phone number, if:

383 (a) the individual is required to provide the information in order to comply with a law,
384 ordinance, rule, or order of a government entity; and

385 (b) the subject of the record has a reasonable expectation that this information will be
386 kept confidential due to:

387 (i) the nature of the law, ordinance, rule, or order; and
388 (ii) the individual complying with the law, ordinance, rule, or order;

389 (51) the name, home address, work addresses, and telephone numbers of an individual
390 that is engaged in, or that provides goods or services for, medical or scientific research that is:

391 (a) conducted within the state system of higher education, as defined in Section
392 53B-1-102; and

393 (b) conducted using animals;

394 (52) an initial proposal under Title 63M, Chapter 1, Part 26, Government Procurement
395 Private Proposal Program, to the extent not made public by rules made under that chapter;

396 (53) in accordance with Section 78A-12-203, any record of the Judicial Performance
397 Evaluation Commission concerning an individual commissioner's vote on whether or not to

398 recommend that the voters retain a judge;

399 (54) information collected and a report prepared by the Judicial Performance
400 Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter
401 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public,
402 the information or report;

403 (55) records contained in the Management Information System created in Section
404 62A-4a-1003;

405 (56) records provided or received by the Public Lands Policy Coordinating Office in
406 furtherance of any contract or other agreement made in accordance with Section 63J-4-603;

407 (57) information requested by and provided to the Utah State 911 Committee under
408 Section 53-10-602;

409 (58) recorded Children's Justice Center investigative interviews, both video and audio,
410 the release of which are governed by Section 77-37-4;

411 (59) in accordance with Section 73-10-33:

412 (a) a management plan for a water conveyance facility in the possession of the Division
413 of Water Resources or the Board of Water Resources; or

414 (b) an outline of an emergency response plan in possession of the state or a county or
415 municipality;

416 (60) the following records in the custody or control of the Office of Inspector General
417 of Medicaid Services, created in Section 63J-4a-201:

418 (a) records that would disclose information relating to allegations of personal
419 misconduct, gross mismanagement, or illegal activity of a person if the information or
420 allegation cannot be corroborated by the Office of Inspector General of Medicaid Services
421 through other documents or evidence, and the records relating to the allegation are not relied
422 upon by the Office of Inspector General of Medicaid Services in preparing a final investigation
423 report or final audit report;

424 (b) records and audit workpapers to the extent they would disclose the identity of a
425 person who, during the course of an investigation or audit, communicated the existence of any
426 Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or
427 regulation adopted under the laws of this state, a political subdivision of the state, or any
428 recognized entity of the United States, if the information was disclosed on the condition that

429 the identity of the person be protected;

430 (c) before the time that an investigation or audit is completed and the final
431 investigation or final audit report is released, records or drafts circulated to a person who is not
432 an employee or head of a governmental entity for the person's response or information;

433 (d) records that would disclose an outline or part of any investigation, audit survey
434 plan, or audit program; or

435 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
436 investigation or audit;

437 (61) records that reveal methods used by the Office of Inspector General of Medicaid
438 Services, the fraud unit, or the Department of Health, to discover Medicaid fraud, waste, or
439 abuse;

440 (62) information provided to the Department of Health or the Division of Occupational
441 and Professional Licensing under Subsection 58-68-304(3) or (4); [~~and~~]

442 (63) a record described in Section 63G-12-210[:]; and

443 (64) captured plate data that is obtained through an automatic license plate reader
444 system used by a governmental entity as authorized in Section 41-6a-2003.